

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

BEEQB, LLC, a Florida Corporation,)
)
Plaintiff,)
)
vs.)
)
BLOCKQUARRY CORP., f/k/a ISW)
HOLDINGS, INC., a Nevada Corporation,)
And PANTEHON RESOURCES, INC.,)
)
Defendant.)
_____)

**MOTION TO AMEND
COMPLAINT**

Plaintiff Beeqb, LLC moves Fed. R. Civ. P. 15 to amend its complaint to add a new party. Plaintiff's proposed amended complaint is attached to this motion as **Exhibit A**.¹ Plaintiff has consulted with both existing defendants. Blockquarry Corp. has consented to the amendment. Pantheon Resources has not yet responded to the request for consent.

Rule 15 provides that "a party may amend its pleading only with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires." Fed. R. Civ. P. 15(a)(2). "Although the decision whether to grant leave rests within the sound discretion of the district court, the federal rules strongly favor granting leave to amend." Medigen of Kentucky, Inc. v. Pub. Serv. Comm'n of W. Virginia, 985 F.2d 164, 167–68 (4th Cir. 1993)(internal citation omitted).

In the absence of any apparent or declared reason—such as undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, futility of amendment, etc.—the leave sought should, as the rules require, be 'freely given.'

¹ The exhibits to the proposed amended complaint are not being filed with this motion as they are identical to those attached to the initial complaint.

Foman v. Davis, 371 U.S. 178, 182, 83 S. Ct. 227, 230, 9 L. Ed. 2d 222 (1962).

In this case, the Plaintiff has discovered evidence of the involvement of Hylmen, LLC in the factual allegations giving rise to Plaintiff's claims. (**Exhibit A** at ¶¶ 47-56) Plaintiff now moves to amend its complaint to add Hylmen as a defendant. This motion is being filed promptly and within the bounds of the scheduling order governing this case. (Dkt. 18 at ¶ 4) The motion is being filed in good faith and without any dilatory motive. No existing party will be prejudiced by the proposed amendment. As a result, the Plaintiff's motion to amend its complaint should be granted.

Respectfully submitted,

/s/ Graham L. Newman

Graham L. Newman (S.C. Fed. ID #9746)

CHAPPELL, CHAPPELL & NEWMAN

4500 Fort Jackson Boulevard, Suite 250

Columbia, South Carolina 29209

(803) 233-7050

graham@chappell.law

Evgeny Krasnov

Robert Lynch

BUZKO KRASNOV

228 Park Avenue S

PMB 85451

New York, New York 10003

Evgeny.krasnov@buzko.legal

Filipp.petkevitch@buzko.legal

Pending Pro Hac Vice Admission

ATTORNEYS FOR PLAINTIFF